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The Code of Hammurabi, King of Babylon about 2250 B. C. Autographed Text, Transliteration, Translation, Glossary, Index of Subjects, Lists of Proper Names, Signs, Numerals, Corrections and Erasures, with Map, Frontispiece, and Photograph of Text. By ROBERT FRANCIS HARPER. Chicago: The University of Chicago Press, 1904. 8vo, pp. xv + 192 + 103 plates.

To an economist this document is interesting for the evidence it affords as to property relations and business traffic among a people living near the beginning of recorded history. The cultural situation of this people is fairly evident from the provisions of the code and the character of the introductory and concluding remarks. It would be difficult for anyone — for any other than an expert quite out of the question — to separate those elements of the code which were the law of the land before the coming of the great king, from those portions which were added by him.

The situation to which the code applies may be characterized somewhat as follows: The code embodies the laws imposed by a body of invading conquerors upon the population already living on the land. The subject population were mainly, if not almost wholly, agricultural. Whether they were free or subject before the coming of the conquering host is probably not to be determined, although it seems not improbable that they already had the institution of slavery, and therefore that the bulk of them were unfree. The invaders from the north, who made themselves masters, were of a race alien to the population already occupying the land and were of a pastoral origin. They brought with them a servile-despotic organization of society and the bloodthirsty monotheistic form of religion that belongs to the militant pastoral culture.

In the Babylonian community as regulated by the code of the great king principles of status, privilege, and differential advantage prevail throughout, so as to give it something of a feudalistic structure. The prerequisites and privileges of the upper classes are large and uncompromising, and the laws safeguarding them are harsh and summary. Regulation from above is the rule, and the gravest offenses are those against the king's servants and against the priests and temples. Capital punishment and mutilations are frequent, and extravagant fines and reprisals no less so. Prices of various com-

modities, as well as the hire of servants, animals, utensils, and land, are fixed by "the king." Terms of agreement between landlord and tenant, and between "merchant" and agent, are in great part prescribed by statute, and as a rule the tenant and the agent are at a disadvantage in case of disagreement or violation of contract. Women are in a state of subjection, almost as abject in many respects as that of the slaves. But with all this subjection and regulation there are some evidences of a traditional freedom of contract, and of relative freedom of action on the part of the women (cf., e. g., secs. 149-51, 172-79, 181, 182).

However austere and unequal may have been the organization of society before the coming of the invaders, it seems plain that the rule of law was, at least in some degree, milder and that economic classes were on a somewhat less unequal footing. Coupled with this, as testifying to a like general effect, is the evidence of an earlier polytheistic religion. The whole code, it may be added, has a very marked resemblance to the Mosaic code.

This earliest document of the history of the Mesopotamian country bears evidence of a culture that was already ancient in the land at the date when "the perfect king" imposed his code upon the population of the land. How ancient the barbarian civilization of the country may have been there is no knowing, but it is plain that the invasion of the Babylonian dynasty was in no sense near the beginning of things, in institutions, industrial arts, or religion. There were, evidently, at least two, in all probability three, and perhaps more than three, superimposed layers of institutions that were in some degree correlated and combined in the legislative reforms embodied in the code.

It is, of course, impossible here to offer any opinion as to the degree of faithfulness with which the editor has rendered and presented his materials, or as to the efficiency with which he has made use of such authorities as he may have had recourse to. But a word may not be out of place as to the mechanical characteristics of the volume, in a case where these characteristics are so striking as in the present instance. The printer's work is excellent and errors are few, but the volume as a whole is an extreme example of what printers sometimes call "padding." The paper is excessively heavy and bulky, and the leading and spacing are likewise excessive. The volume could, with advantage to all concerned, have been reduced to one-third of its present bulk and to one-fourth of its present weight.